

EXHIBIT I

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS**

STUDENTS FOR FAIR ADMISSIONS,)
INC.,)

Plaintiff,)

v.)

Case No. 1:20-cv-763

UNIVERSITY OF TEXAS AT AUSTIN;)
JAMES B. MILLIKEN, Chancellor of the)
University of Texas System in his)
Official Capacity; STEVEN LESLIE,)
Executive Vice Chancellor for Academic)
Affairs of the University of Texas System)
in his Official Capacity; DANIEL H.)
SHARPHORN, Vice Chancellor and)
General Counsel of the University of Texas)
System in his Official Capacity;)
JAY HARTZELL, Interim President of the)
University of Texas at Austin in his)
Official Capacity; BOARD OF REGENTS)
OF THE TEXAS STATE UNIVERSITY)
SYSTEM; DAVID J. BECK, CHRISTINA)
MELTON CRAIN, KEVIN P. ELTIFE, R.)
STEVEN HICKS, JODIE LEE JILES,)
JANIECE LONGORIA, NOLAN PEREZ,)
KELCY L. WARREN, AND JAMES C.)
“RAD” WEAVER, as Members of the Board)
) of Regents in Their Official Capacities;)
DANIEL JAFFE, Interim Executive Vice)
President and Provost; RACHELLE)
HERNANDEZ, Senior Vice Provost for)
Enrollment Management and Student)
Success; and MIGUEL WASIELEWSKI,)
Executive Director for Office of Admissions,))

Defendants.)

**Declaration of
Rosaleen Xiong**

I, Rosaleen Xiong, pursuant to 28 U.S.C. § 1746, declare the following:

1. The facts set forth in this declaration are based on my personal first-hand knowledge, and if called as a witness, I could and would competently testify to the following matters under oath.
2. I identify as a queer, Asian American woman.
3. I am currently a senior at the University of Texas at Austin (“UT”) majoring in Computer Science.
4. I grew up in State College, Pennsylvania, and attended State College Area High School. I was actively involved in extracurricular activities during high school, participating in Math Club, Golf Team, Model UN, the art and literary magazine, and Speech & Debate. I also co-founded the mental health advocacy club. I graduated with a 4.1 weighted GPA and scored a 2330 on the SAT. Although I performed well on the SAT, I considered my coursework and extracurricular activities to be more indicative of my potential to succeed in college. I initially was not sure if I wanted to attend college and served as a City Year corps member in San Antonio during a gap year before attending UT. I was admitted to UT through the holistic review process.
5. Serving as a City Year corps member at a school with a roughly half Hispanic/Latinx and half African American student population opened my eyes to the role that race plays in education outcomes and opportunity for those communities. Prior to my corps year, I believed that class and socioeconomic status were either more important explanatory variables for education outcomes and lack of opportunity, or at least could serve as virtually indistinguishable proxies. My experience observing the stark racial disparities in San Antonio, learning the racial history, and witnessing how resources were divided along racial lines educated me about the inaccuracy of that belief and the need to continue striving for racial justice. For example, while organizing the college fair for my school, I learned first-hand the stark differences between the amount of guidance and knowledge in the college admissions process between people I knew growing up

in a college town with more privileges and the students I worked with. City Year also taught me that the lack of generational wealth, resources, and education opportunities was a direct result of policies like redlining that systematically deprived African Americans of resources available to other groups and put them at a decades-long disadvantage. My “education” during my time at City Year has convinced me that race-conscious policies in holistic college admissions are a necessary part of providing full context to the racialized experiences of applicants.

6. As a student at UT, I initially majored in Environmental Science but switched to Computer Science for my sophomore year. As a queer woman in Computer Science, I found the transition difficult. I had to rely on the support of several groups, including the Association of Black Computer Scientists, the Hispanic Association of Computer Scientists, and Women in Computer Science to make my transition. Students from those groups helped me navigate choosing my classes, boosted my confidence as a student in the new major, and assisted me in creating “Q++” which is an organization for queer students in computer science.
7. I serve as the Director of Operations for the Asian Desi Pacific Islander American Collective (“ADPAC”). The mission of ADPAC is to provide support, enrichment services, and leadership development to students on UT’s campus and those in the greater Austin community as well as anyone interested in appreciating Asian American and Pacific Islander culture through a social justice lens. The collective serves approximately 1000 students on campus each year, of primarily Asian descent, but is also attentive to the needs and concerns of broader Black, Indigenous, and other People of Color’s (“BIPOC”) communities, and stands in solidarity with those communities. As part of the broader Multicultural Engagement Center, ADPAC members participate in measures to combat instances of racial hostility on campus. For example, when a student group organized a so-called “Affirmative Action Bake Sale” where the group charged

different prices for baked goods based on the student-customer's identity, ADPAC worked with the center to organize a protest in solidarity with students of color to counteract the myth that students of color are not qualified for admission to UT. We also hosted a community event to discuss the importance of diversity in admissions in response to the suit brought against Harvard University in *SFFA v. Harvard*. The solidarity that this group has with other racial affinity groups on campus would be seriously harmed if the numbers of underrepresented minorities decreased due to the elimination of race-conscious admissions. This would make students of color feel more isolated and less welcome on UT's campus.

8. I sit on the Enrollment Management Advisory Board for the Office of Enrollment Management and I serve as a tour guide for prospective student families visiting campus. Through those experiences, I have come to regard the holistic review admissions process as one of the most important features of UT as an institution. The process helps students showcase the racial aspect of their identity and how it intersects with class, ethnicity, immigration status, and other aspects of themselves. The ability to provide the fullest context possible in their application has allowed UT to more thoughtfully build a richer learning community and more effectively fulfill the University of Texas System's mission, "to improve the human condition in Texas, our nation and our world."
9. Many prospective students chose to apply and attend UT because it has an evolving reputation of becoming increasingly diverse and inclusive. For many students, their racial identities are integral to how they view themselves as people, so many seek to share that facet of their identity when applying to colleges. For example, as a tour guide, I distinctly remember a mother and daughter coming up to me during a tour and asking, "because you're a woman of color and you properly used gender pronouns during the tour, I would like to know whether there's truly a place for my daughter here." I was only able to confidently tell the mother that

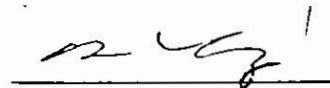
there was space for her daughter on campus because I knew there would be a group of underrepresented minority students and affinity groups available to welcome her, assist her transition to college life, and fight for a more inclusive campus where everyone can contribute to the learning community. A reduction of people of color would only make the issue of people feeling unwelcome worse and reduce the ability of racial affinity groups to create a more inclusive climate. Students should never have to feel like there's no space for them on campus.

10. I am aware of racially insensitive or disparaging remarks or actions used by students and staff on campus. For example, in 2013, a student organization planned a “catch an illegal immigrant” event—a deeply troubling and traumatizing display of xenophobia. As another example, on numerous occasions, Black students have been denied entry into white-majority fraternity and sorority events. Also, during the fall of 2017, a group of white supremacists marched on campus wearing face masks and carrying torches. BIPOC students and affinity groups support traumatized students after incidents like these both directly by planning coordinated responses such as protests or calls to action, and indirectly by providing inclusive social spaces where students can discuss the incidents and receive information about where to seek mental health or other critical supports.
11. UT's history of discrimination has had lasting effects on campus to this day. One of the buildings on campus is named after former university President Painter, who was the defendant in the case *Sweatt v. Painter*. The former university president, Theophilus Painter, would not allow a Black man, Heman Marion Sweatt, to enroll in the School of Law. Also, UT's school anthem, “The Eyes of Texas,” was formerly a minstrel show song and it was derived from a favorite saying of the white supremacist and former confederate general Robert E. Lee.

12. My experience at UT has reinforced what I learned during my time at City Year— that class is not a proxy for race. While the two may intersect and shape one's life experiences, having economic privilege does not necessarily mean that BIPOC students won't have racialized experiences in their lives. Economic poverty is a compounding factor, not the only factor, in the experiences of BIPOC students. Even when controlling for class and other potential factors, these students can still face barriers to accessing and obtaining higher education.
13. America is a racially diverse and pluralistic society. Creating a microcosm of that diversity at UT allows students to build empathy and a greater appreciation for a diverse array of people, experiences, and opinions.

I declare under penalty of perjury that the foregoing is true and correct.

Executed in Bexar County in the State of Texas on 11/02/20 | .



Rosaleen Xiong